

Attorney Docket No. BHC 031059

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

National Stage in the U.S. of

International Application No.: PCT/EP2004/012049

International Filing Date: 10/26/2004

U.S. Application No.: 10/578,412

First Named Inventor: Bischoff, et al.


Title: Novel Combination Containing a Stimulator of Soluble Guanylate Cyclase and a Lipid-lowering Substance

CERTIFICATION OF MAILING UNDER 37 C.F.R. 1.8(a)

I hereby certify that this correspondence and any papers referred to as attached are being deposited, on the date shown below, with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date:

12/22/06


William F. Gray

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371**

This replies to the Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905) mailed to applicants on 11/20/2006. A copy of Form PCT/DO/EO/905 is enclosed.

DECLARATION OR OATH

No declaration or oath was filed. Enclosed is the original declaration or oath for this application (35 U.S.C. 371 (c)(4)).

COMPLETION FEES

Surcharge fee for late filing of original declaration or oath (37 C.F.R. 1.492(e))
\$130.00.

ORIGINAL

EXTENSION OF TIME

The proceedings herein are for a patent application, and the provisions of 37 C.F.R. 1.136(a) apply. Applicant petitions for an extension of time, the other than small entity fee for which is set out in 37 C.F.R. 1.17(a)(4), for 1 month.

Fee \$120.00

If an additional extension of time is required, please consider this a petition therefor.

TOTAL FEE DUE

The total fee due is:

Completion fees	\$130.00
Extension fee (if any)	<u>\$120.00</u>
Total Fee Due	\$250.00

METHOD OF PAYMENT

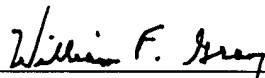
The Commissioner is hereby authorized to charge Deposit Account No. **13-3372** in the amount of **\$250.00** for the matters indicated above. The Commissioner is also authorized to charge any additional fees, any underpayment of fees, and credit any overpayment to the above deposit account. A duplicate of this request is attached.

Respectfully submitted,

Date: 22 December 2006

Registration No.: 31018

Phone: (203) 812-2712



William F. Gray
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DEC 07 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/578,412	Bischoff	BHC031059

35969
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 BAYER PHARMACEUTICALS CORPORATION
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INTERNATIONAL APPLICATION NO.	
PCT/EP04/12049	
I.A. FILING DATE	PRIORITY DATE
10/26/2004	11/06/2003

CONFIRMATION NO. 1665
 371 FORMALITIES LETTER



OC000000021294911

Date Mailed: 11/20/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/05/2006
- English Translation of the IA filed on 05/05/2006
- Copy of the International Search Report filed on 05/05/2006
- Preliminary Amendments filed on 05/05/2006
- Request for Immediate Examination filed on 05/05/2006
- U.S. Basic National Fees filed on 05/05/2006
- Priority Documents filed on 05/05/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/578,412	PCT/EP04/12049	BHC031059